

House Bill 1094

By: Representatives Bearden of the 68<sup>th</sup>, Ralston of the 7<sup>th</sup>, and Mumford of the 95<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 40-6-253 of the Official Code of Georgia Annotated, relating to  
2 consumption of alcoholic beverage or possession of open container of alcoholic beverage in  
3 passenger area of motor vehicle, so as to provide that a person convicted of such offense  
4 shall be guilty of a misdemeanor; to impose a cap of \$500.00 on the amount of a fine that  
5 may be imposed in the event of such conviction; to provide for related matters; to provide  
6 an effective date and for applicability; to repeal conflicting laws; and for other purposes.

7  
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 40-6-253 of the Official Code of Georgia Annotated, relating to consumption  
11 of alcoholic beverage or possession of open container of alcoholic beverage in passenger area  
12 of motor vehicle, is amended by striking subsection (c) and inserting in lieu thereof a new  
13 subsection (c) to read as follows:

14 "(c) Any person who violates this Code section ~~is subject to a fine~~ shall be guilty of a  
15 misdemeanor; provided, however, that, if a fine is imposed as a part of the sentence after  
16 conviction, such fine shall not to exceed ~~\$200.00~~ \$500.00."

17 **SECTION 2.**

18 This Act shall become effective on July 1, 2006, and shall apply to all offenses committed  
19 on and after such date.

20 **SECTION 3.**

21 All laws and parts of laws in conflict with this Act are repealed.